

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHRISTOPHER MORRISHAW,

Plaintiff,

vs

9:09-CV-527

ROBERT DRUGER, Opthamologist New York
State Department of Corrections,

Defendants.

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APPEARANCES:

CHRISTOPHER MORRISHAW  
Plaintiff, Pro Se  
07-A-0433  
Clinton Correctional facility  
PO Box 2002  
Dannemora, NY 12929

HON. ANDREW M. CUOMO  
Attorney General of the  
State of New York  
Attorney for Defendants  
Department of Law  
The Capitol  
Albany, New York 12224

BRIAN J. O'DONNELL, ESQ.  
Asst. Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Christopher Morrishaw, commenced this civil rights action in May 2009, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated May 25, 2010, the Honorable David R. Homer, United States Magistrate Judge, recommended that defendant's

motion to dismiss be granted in all respects and the complaint be dismissed against Dr. Druger as to all claims. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the file, and the recommendations of Magistrate Judge Homer, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

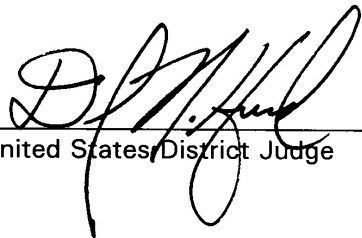
Accordingly, it is

ORDERED that

1. Defendant's motion to dismiss (Docket No. 17) is GRANTED;
2. The complaint is DISMISSED against Dr. Druger as to all claims; and
3. The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: June 10, 2010  
Utica, New York.

  
United States District Judge